

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICIA LATUS,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 1:09-cv-00384

PLAINWELL PUBLIC SCHOOLS,

Defendant.

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REPORT AND RECOMMENDATION

This matter was filed on April 24, 2009, and a summons was issued. A Notice of Impending Dismissal was filed by the Court on December 11, 2009, noting that Defendant had not been served and requiring that Plaintiff file a verified Petition Re: Service of Process by January 11, 2010. No such petition has been filed.

As such, the undersigned hereby recommends that this matter be dismissed pursuant to Fed. R. Civ. P. 41(b) and W.D.Mich. L.Civ.R. 41.1 for want of prosecution and failure to comply with the rules and orders of this court. Timely objections to this Report and Recommendation shall be considered Plaintiff's opportunity to show cause why this matter should not be dismissed.

Respectfully submitted,

Date: February 11, 2010

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).